

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>In re:</b>	<b>:</b>	<b>Chapter 11</b>
<b>NEW CENTURY TRS HOLDINGS, INC., a</b>	<b>:</b>	<b>Case No. 07-10416 (KJC)</b>
<b>Delaware corporation, et al.<sup>1</sup></b>	<b>:</b>	<b>Jointly Administered</b>
<b>Debtors.</b>	<b>:</b>	<b>Re: Docket Nos. 2265, 2561 and 2644</b>
	<b>:</b>	
	<b>:</b>	

**APPELLEE'S COUNTERDESIGNATION OF ADDITIONAL ITEMS TO BE  
INCLUDED IN RECORD ON APPEAL**

New Century Financial Corporation (“NCF”), a Maryland Corporation, New Century TRS Holdings, Inc., (“New Century TRS”), a Delaware corporation, and their direct and indirect subsidiaries, each a debtor and debtor-in-possession as well as the appellees herein (collectively, the “Debtors”), by and through their undersigned counsel, hereby submit, pursuant to Federal Rule of Bankruptcy Procedure 8006, the following additional items to be included in the record with respect to the appeal of Positive Software Solutions, Inc. (“PSSI”) from the *Order (I) the Motion of Positive Software Solutions, Inc. for Relief from Stay and (II) Granting the Debtors' Cross-Motion for Sanctions of Violation of the Automatic Stay* [Docket No. 2265].

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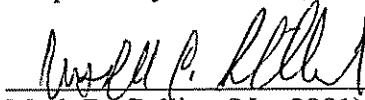
<sup>1</sup> The Debtors are the following entities: New Century Financial Corporation (f/k/a New Century REIT, Inc.), a Maryland corporation; New Century TRS Holdings, Inc. (f/k/a New Century Financial Corporation), a Delaware corporation; New Century Mortgage Corporation (f/k/a JBE Mortgage) (d/b/a NCMC Mortgage Corporate, New Century Corporation, New Century Mortgage Ventures, LLC), a California corporation; NC Capital Corporation, a California corporation; Home123 Corporation (f/k/a The Anyloan Corporation, 1800anyloan.com, Anyloan.com), a California corporation; New Century Credit Corporation (f/k/a Worth Funding Incorporated), a California corporation; NC Asset Holding, L.P. (f/k/a NC Residual II Corporation), a Delaware limited partnership; NC Residual III Corporation, a Delaware corporation; NC Residual IV Corporation, a Delaware corporation; New Century R.E.O Corp., a California corporation; New Century R.E.O. II Corp., a California corporation; New Century R.E.O. III Corp., a California corporation; New Century Mortgage Ventures, LLC (d/b/a Summit Resort Lending, Total Mortgage Resource, Select Mortgage Group, Monticello Mortgage Services, Ad Astra Mortgage, Midwest Home Mortgage, TRATS Financial Services, Elite Financial Services, Buyers Advantage Mortgage), a Delaware limited liability company; NC Deltex, LLC, a Delaware limited liability company; NCoral, L.P., a Delaware limited partnership; New Century Warehouse Corporation, a California corporation.

All of these additional items were among the Debtors' exhibits at the August 7, 2007 hearing and were admitted into evidence by the Court without objection:

Item	Document Title
1	Complaint for: (1) Declaratory Judgment; (2) Breach of Contract; (3) Professional Negligence; (4) Breach of Fiduciary Duty; (5) Negligence filed in the Superior Court of the State of California, County of Los Angeles, Northeast District
2	Plaintiff's Reply in Support of Motion for Leave to File Second Amended Motion to Vacate Arbitration Award filed in the United States District Court Northern District of Texas, Dallas Division (Civil Action No. 3:03-CV-0257-N)
3	Financial Guaranty Insurance Brokers, Inc. Letter to Ms. Kay Armstrong / From Pamala Nash re: Commercial Package, Auto & Umbrella, 02-01-2002 - 02-01-2003 dated February 11, 2003

Dated: September 6, 2007  
Wilmington, Delaware

Respectfully submitted,

  
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